



Attorney Docket No. 1539.1016D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Koji YOSHIDA, et al.

Application No.: 10/714,840

Group Art Unit: Not Assigned

Filed: November 18, 2003

Examiner: Not Assigned

For: METHOD OF DETERMINING MOVEMENT SEQUENCE, ALIGNMENT APPARATUS,
METHOD AND APPARATUS OF DESIGNING OPTICAL SYSTEM, AND MEDIUM IN
WHICH PROGRAM REALIZING THE DESIGNING METHOD

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information that the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☐ Copies of IDS citations.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☒ English language translation (abstract only) attached to each non-English language publication.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☐ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☒ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

- 3a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; OR
 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. § 1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND
 4b. ☐ The \$180.00 fee set forth in 37 C.F.R. § 1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) *(applicable if Item 3a or Item 4a is checked)*

(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
 5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☒ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

(Check appropriate Items 6a and/or 6b)

- 6a. ☒ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. 09/900,016, filed on July 9, 2001, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
 6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed _____.
9. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed.)
- 9b. ☐ set forth in the application.
- 9c. ☒ satisfied because an English language translation (abstract only) is attached to each non-English language publication.
- 9d. ☐ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: MARCH 16, 2004
1201 New York Ave., N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

By: 

James G. McEwen
Registration No. 41,983



Sheet 1 of 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)	ATTORNEY DOCKET NO.	APPLICATION NO.
	1539.1016D	10/714,840
	FIRST NAMED INVENTOR	
	Koji YOSHIDA, et al.	
	FILING DATE	GROUP ART UNIT
	November 18, 2003	Not Assigned

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,243,195	9/1993	Nishi	250	548	
	AB	5,365,051	11/1994	Suzuki et al.	250	201.2	
	AC	5,521,036	5/1996	Iwamoto et al.	430	22	
	AD	6,034,376	3/2000	Shiraishi	250	559.29	
	AE	4,780,617	10/1998	Umatate et al.	250	548	
	AF	4,677,301	6/1987	Tanimoto et al.	250	548	
	AG	5,243,665	9/1993	Maney et al.	382	8	
	AH	6,141,107	10/2000	Nishi et al.	356	401	
	AI	6,097,473	8/2000	Ota et al.	355	53	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AJ	61-44429	3/1986	Japan			Abstract only	
	AK	6-275496	9/1994	Japan			Abstract only	
	AL	0 715 215 A1	6/1996	European				

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

							TRANSLATION YES NO	
	AM	Lin et al., "An Effective Heuristic Algorithm for the Traveling-Salesman Problem", <i>Operations Research</i> , vol. 21, pgs. 498-516, 91973						

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



Sheet 2 of 2

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1539.1016D	APPLICATION NO. 10/714,840
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)		FIRST NAMED INVENTOR Koji YOSHIDA, et al.	
		FILING DATE November 18, 2003	GROUP ART UNIT Not Assigned

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AN	5,790,258	8/1998	Mitome et al.	356	401	
	AO	5,137,363	8/1992	Kosugi et al.	356	401	
	AP	5,200,677	4/1993	Dueck et al.	318	567	
	AQ	5,243,665	9/1993	Maney et al.	382	8	
	AR	5,140,366	8/1992	Shiozawa et al.	355	53	
	AS	5,907,405	5/1999	Mizutani et al.	356	399	
	AT	6,333,786	12/2001	Uzawa et al.	356	401	

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

			TRANSLATION	
			YES	NO
	AU	Walk et al., "Some Remarks on Computer-aided Design of Optical Lens Systems", <i>Journal of Optimization Theory and Applications</i> , vol. 59(2): 173-181, (1988)		
	AV	Chen et al., "Genetic-Algorithm and Its Application in ENS Design" <i>SPIE</i> , Vol. 2863: 216-221		
	AW	Naharahi et al., "Modeling Reentrant Manufacturing Systems with Inspection Stations", <i>Journal of Manufacturing Systems</i> , VIL., 15, NO. 6, pp 367-378, (1996)		

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	